## T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:			20-Nov-07	APPL. S. N:	10736574		
To Examii	ner:		SHERALI, ISHRAT I.	Art Unit	2624		
From			Gunter-Riley, Joyce PARALEGAL SPCECIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68		
SUBJECT	: Decisio	n on Terminal	Disclaimer(T.D.) filed:				
form para or have a	igraphs ion ny quest	dentified by th ions, please se	is informal memo in your next O se me or the Special Program Ex	sults as set forth below. If you ag office action to notify applicant of aminer. THIS IS AN INFORMAL, I RECORD IN THE APPLICATION FIL	the T.D. If you disagree NTERNAL MEMO ONLY.		
please ini	tial, date	and return th	is memo to me. THANK YOU.				
<u> </u>	The T.D.	is PROPER and	d has been recorded (see 14.23)				
	The T.D.	is NOT PROPE	R and has not been accepted for	the reason(s) checked below (se	ee 14.24);		
	Γ.	The TD fee of use of a depo		d nor is there any authorization in	n the application file for the		
	The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).						
	Γ'	The T.D. lacks double patent	s the enforceable only during cor ling rejection, Rule 321(b) (see 1	mmon ownership clause – needed 14.27.01).	to overcome a non-statutory		
		The T.D. is diportion of the	rected to a particular claim(s), we term of the entire patent to be	hich is not acceptable since "the granted" (MPEP 1490) (see 14.26	disclaimer must be for a terminal 8 14.26.02).		
		The person w	ho signed the T.D.:				
		is no	ot an attorney "of record" (see 1	4.29 and 14.29.01).			
		☐ has	failed to state his/her capacity to	o sign for the business entity (see	e 14.28).		
		is no	ot recognized as an officer of the	assignee (see 14.29 & possible 1	14.29.02).		
		nor is the ree (see 37 CFR 3	I and frame number specified as 3.73(b) and 1140 O.G. 72). NOT	om the original inventor(s) to ass to where such evidence is record E: This documentary evidence or a separate paper of record in the	led in the Office the specifying of the reel and		
	Γ	The T.D. is no	ot signed (see 14.26 & 14.26.03)	).			
	П		mber of the application (or the neection is missing or incorrect (see	umber of the patent) which forms e 14.32).	; the basis for the double		
	Г		mber of this application (or the n missing or incorrect (see 14.26,	umber of the patent in reexam or 14.27.02 or 14.26.05).	r reissue cases being		
		The period dis	sclaimed is incorrect or not speci	fied (see 14.26, 14.27.02 or 14.2	(6.03).		
	r -	Other:					
			request refund (see 14.36). NO eck this item.	TE: If already authorized, credit i	refund to deposit account		
have ap	propriate	ly notified app	licant(s) of the status of the Ter	minal Disclaimer filed in this case	•		
Ex.Initials	;	Date	e:		Log Date:		

Application Number			Applicant(s)/Patent under Reexamination SAKAIDA, HIDEYUKI				
Document Code - DISQ	Internal Document – DO NOT MA		NOT MAIL				
TERMINAL DISCLAIMER			☐ DISAPPROVED				
Date Filed : October 31, 2007							
Approved/Disapproved by:							
Henry D. Jefferson							

U.S. Patent and Trademark Office



PTO/SB/26 (09-04)
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## TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING

Docket Number (Optional)

REJECTION OVER A "PRIOR" PATENT	2091-0299P							
In re Application of: Hideyuki SAKAIDA	'							
Application No.: 10/736,574-Conf. #4497								
Filed: December 17, 2003								
METHOD, APPARATUS, AND RECORDING MEDIUM FOR PROCESSING IMAGE DATA TO OBTAIN COLOR-BALANCE ADJUSTED IMAGE DATA BASED ON WHITE-BALANCE ADJUSTED IMAGE DATA								
The owner, Fujifilm Corporation , of instant application hereby disclaims, except as provided below, the terminal part of the statutory	100 percent interest in the							
instant application which would extend beyond the expiration date of the full statutory term of prior								
as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said pri	for patent is presently shortened							
by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.								
In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:								
expires for failure to pay a maintenance fee; is held unenforceable;								
is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;								
has all claims canceled by a reexamination certificate; is reissued; or								
is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.								
Check either box 1 or 2 below, if appropriate.	•							
1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.								
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.								
2. X The undersigned is an attorney of agent of record. Reg. No. 40,439								
Signature	October 31, 2007							
Signature	Date							
D. Richard Anderson Typed or printed name								
	(703) 205-8035							
<del></del>	Telephone Number							
Terminal disclaimer fee under 37 CFR 1.20(d) is included.								
*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this certification. See MPEP § 324.								
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Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number. Complete if Known Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818). Application Number 10/736,574-Conf. #4497 December 17, 2003 FEE TRANSMITTAL Filing Date Hideyuki SAKAIDA First Named Inventor For FY 2008 **Examiner Name** I. I. Sherali Applicant claims small entity status. See 37 CFR 1.27 2624 Art Unit TOTAL AMOUNT OF PAYMENT 2091-0299P 130.00 Attorney Docket No. METHOD OF PAYMENT (check all that apply) Check Credit Card Money Order Other (please identify): Deposit Account Name: Birch, Stewart, Kolasch & Birch, X Deposit Account Deposit Account Number, 02-2448 For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayments of x Credit any overpayments fee(s) under 37 CFR 1.16 and 1.17 **FEE CALCULATION** 1. BASIC FILING, SEARCH, AND EXAMINATION FEES **FILING FEES SEARCH FEES EXAMINATION FEES Small Entity** Small Entity Small Entity **Application Type** Fee (\$) Fee (\$) Fee (\$) Fees Paid (\$) Fee (\$) Fee (\$) Fee (\$) Utility 310 155 510 210 255 105 Design 210 105 100 50 130 65 Plant 210 105 310 155 160 80 Reissue 310 155 510 255 620 310 **Provisional** 210 105 0 2. EXCESS CLAIM FEES Small Entity Fee (\$) Fee (\$) Fee Description Each claim over 20 (including Reissues) 50 25 Each independent claim over 3 (including Reissues) 210 105 Multiple dependent claims 370 185 Total Claims Extra Claims Fee Paid (\$) **Multiple Dependent Claims** Fee (\$) 9 \_-20 = <u>0</u> x 50.00 0.00 Fee Paid (\$) Fee (\$) HP = highest number of total claims paid for, if greater than 20. Extra Claims Fee (\$) Fee Pald (\$) 3 0 × 210.00 0.00 .4= HP = highest number of independent claims paid for, if greater than 3. 3. APPLICATION SIZE FEE If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s). Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) - 100 = /50 = (round up to a whole number) x 4. OTHER FEE(S) Fees Paid (\$) Non-English Specification, \$130 fee (no small entity discount) Other (e.g., late filing surcharge) 1814 Statutory Disclaimer 130.00 SUBMITTED BY Registration No. Signature 40,439 Telephone (703) 205-8035 (Attorney/Agent) D. Richard Anderson Name (Print/Type) Date October 31, 2007